

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code section 163.1(1), the Department of Agriculture and Land Stewardship hereby amends Chapter 64, “Infectious and Contagious Diseases,” Iowa Administrative Code.

These amendments lower the age at which a slaughtered Cervidae animal is subject to testing for chronic wasting disease.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin as **ARC 0263C** on August 8, 2012. No comments on the Notice were received from the public. Since publication of the Notice, a corresponding change in the definition of “cervid CWD surveillance identification program” has been added.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Department finds that the normal effective date of these amendments, 35 days after publication, should be waived and the amendments made effective November 1, 2012. The amendments confer a benefit on the public by allowing the state to continue to be in compliance with the updated federal program requirements.

These amendments are subject to the Department’s general waiver provisions.

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement Iowa Code section 163.1.

These amendments will become effective November 1, 2012.

The following amendments are adopted.

ITEM 1. Amend rule **21—64.104(163)**, definition of “Cervid CWD surveillance identification program,” as follows:

“*Cervid CWD surveillance identification program*” or “*CCWDSI program*” means a CWD surveillance program that requires identification and laboratory diagnosis on all deaths of Cervidae ~~46~~ 12 months of age and older including, but not limited to, deaths by slaughter, hunting, illness, and injury. A copy of approved laboratory reports shall be maintained by the owner for purposes of completion of the annual inventory examination for recertification. Such diagnosis shall include examination of brain and any other tissue as directed by the state veterinarian. If there are deaths for which tissues were not submitted for laboratory diagnosis due to postmortem changes or unavailability, the department shall determine compliance.

ITEM 2. Amend subrule 64.106(1) as follows:

64.106(1) Slaughter establishments. All slaughtered Cervidae ~~46~~ 12 months of age and older must have brain tissue submitted at slaughter and examined for CWD by an approved laboratory. This brain tissue sample will be obtained by a state or federal meat inspector or accredited veterinarian on the premises at the time of slaughter.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/17/12.